

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION AT DAYTON

WILLIAM BERNARD VORE,	:	Case No. 3:21-cv-215
	:	
Plaintiff,	:	District Judge Michael J. Newman
	:	Magistrate Judge Sharon L. Ovington
vs.	:	
	:	
JOHNNY McCLUSKEY, <i>et al.</i> ,	:	
	:	
Defendants.	:	
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**ORDER U.S. MARSHAL TO SERVE DEFENDANTS WITH PROCESS**

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Now before the Court is a *pro se* complaint and accompanying application to proceed *in forma pauperis*. (Doc. No. 1, 4). Also before the Court is Plaintiff's Motion to Supplement Complaint with Affidavit. (Doc. No. 5). For good cause shown, *pro se* Plaintiff's application to proceed without payment of costs and fees was granted.

Pursuant to § 1915, the Court may dismiss a complaint upon finding (1) the claims are frivolous or malicious; (2) it fails to state a claim upon which relief may be granted; or (3) it seeks monetary relief from a defendant who is immune from such relief. *See* 28 U.S.C. § 1915(e)(2)(B); *see Neitzke v. Williams*, 490 U.S. 319, 324 (1989). Having conducted this initial review, the Court finds that dismissal under 28 U.S.C. § 1915 is not warranted at this stage of the litigation.

Accordingly, the U.S. Marshal is **ORDERED** to serve Defendants with process. Furthermore, for good cause shown, Plaintiff's Motion to Supplement Complaint with Affidavit (Doc. No. 5) is hereby **GRANTED**.

**IT IS SO ORDERED.**

January 31, 2022

*s/Sharon L. Ovington*

Sharon L. Ovington

United States Magistrate Judge